

May 17, 2012

VIA ELECTRONIC FILING

Marlene H. Dortch Secretary Federal Communications Commission 445 Twelfth Street, SW Washington, DC 20554

Re: Notice of Proposed Rulemaking and Notice of Inquiry for flexible use of spectrum currently assigned to the Mobile Satellite Service in the 2 GHz band (WT Docket No. 12-70; ET Docket No. 10-142; WT Docket No. 04-356)

Dear Ms. Dortch:

The Information Technology Industry Council (ITI) represents fifty of the nation's leading information and communications technology companies, including computer hardware and software, Internet services, mobile devices, and wireline and wireless networking companies. ITI is the voice of the high tech community, advocating policies that advance U.S. leadership in technology and innovation, open access to new and emerging markets, support e-commerce expansion, and enhance domestic and global competition.

ITI's members are a driving force behind the innovation, investment, and explosive growth that has taken place in the mobile broadband ecosystem over the past decade. ITI believes that to maintain this growth and innovation we must have a spectrum policy that makes the most efficient use of this valuable resource and recognizes changing market needs, growing demand, and evolving technologies as recognized by the National Broadband Plan.¹ For these reasons, ITI has supported allowing flexible use in the 2000-2020 MHz and 2180-2200 MHz spectrum bands, and supports permitting terrestrial services to be offered in these bands.² In the NPRM, the Commission proposes to grant the terrestrial authority to the current 2GHz MSS

¹ Connecting America: The National Broadband Plan, Chapter 5 Introduction

² See ITI's previous comments on ET Docket No. 10-142: Fixed and Mobile Services in the Mobile Satellite Service Bands at 1525-1559 MHz and 1626.5-1660.5 MHz, 1610-1626.5 MHz and 2483.5-2500 MHz, and 2000-2020 MHz and 2180-2200 MHz



licensee,³ and raises in the NOI the possibility of incentive auctions.⁴ Should incentive auctions for the MSS uplink band be possible, ITI supports keeping that option on the table.

The need to make more spectrum available for mobile broadband service is urgent. As the Commission has previously indicated, the average of three data forecasts on future mobile broadband data traffic predicts 35 times more data traffic in 2014 than was seen in 2009.⁵ Two out of every three phones sold in the U.S. in the first three months of this year were smartphones.⁶ In March of this year, smartphone penetration in the U.S. market surpassed that of traditional mobile phones. Additionally, new apps and services now offer users the ability to access an increasing amount of data from the cloud that used to be stored on their devices. The proliferation of tablet computers also escalates the demand on our airwaves. ITI encourages the Commission to move expeditiously on making more spectrum available for mobile broadband to meet these pressing needs.

The spectrum being considered in this NRPM is a solid down payment toward the goal of 300 MHz by 2015, and 500 MHz by 2020 envisioned by the National Broadband Plan. Moving forward promptly with incentive auctions following the new authority granted in the Middle Class Tax Relief and Job Creation Act of 2012 will also be critical to meeting these goals, and meeting the needs of the American public who are increasingly relying on mobile broadband services. ITI supports your finalizing this rule to make this spectrum available for these services.

Respectfully Submitted,

/s/ Vince Jesaitis

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³ Notice of Proposed Rulemaking and Notice of Inquiry for flexible use of spectrum currently assigned to the Mobile Satellite Service in the 2 GHz band (WT Docket No. 12-70; ET Docket No. 10-142; WT Docket No. 04-356), ¶ 74

⁴ Ibid, ¶ 137

⁵ Mobile Broadband: The Benefits of Additional Spectrum, OBI Technical Paper No. 6, p. 9.

⁶ Neilsenwire: http://blog.nielsen.com/nielsenwire/online_mobile/smartphones-account-for-half-of-all-mobile-phones-dominate-new-phone-purchases-in-the-us/